

ABRAHAM J. REBER.

APRIL 15, 1884.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. STRUBLE, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 6660.]

The Committee on Pensions, to whom was referred the bill (H. R. 2025) to restore Abraham J. Reber to the pension-roll, submit the following report:

Abraham J. Reber enlisted in Company E, Sixth United States Infantry, February 10, 1847. On September 8, 1847, at the battle of Molino del Rey, he was wounded in the left leg by a gunshot.

He was mustered out of service July 31, 1848. On April 17, 1850, he was pensioned at \$8 per month from March 7, 1850.

This pension was based upon an examination by Dr. Jonathan Bicker, February 1, 1850, who, among other things, said:

By satisfactory evidence and accurate examination it appears that on the 8th day of September, 1847, being engaged as a soldier in the United States Army at or near places called Chapultepec and Molino del Rey, in the Republic of Mexico, he received a bullet in his left leg about 4 inches above the ankle joint, the fibula being materially fractured and the muscle being severely bruised or cut, and he is thereby not only incapacitated for military duty, but, in the opinion of the undersigned, is entirely disabled from obtaining his subsistence from manual labor.

Subsequently, the date of which is not shown by any paper on file with the Pension Office in this case, and without any medical examination so far as shown by said papers, his pension was reduced to \$4 per month. Later he was reduced to \$2 per month, from March 4, 1860, without any surgical examination having been made, so far as appears from the papers on file.

On September 5, 1863, he was examined by Drs. Samuel H. and Edward A. Guilbert, at Dubuque, Iowa, who reported as follows:

We find that he is physically disabled from a wound received in the left leg at Molino del Rey, September 8, 1853 [meaning, no doubt, 1847]. The ball fractured the fibula, and the party has never been able since to bear much exercise upon his feet. At present time he cannot walk a mile without suffering pain of a severe character in the leg. Standing too long at his work-bench exerts the same influence, and that his present disability for obtaining subsistence by manual labor amounts to one-fourth.

On May 5, 1864, this soldier enlisted in Company D, Forty-sixth Iowa Volunteer Infantry, for one hundred days, the regiment having been organized, as your committee understands, for guard duty in Iowa. He was discharged at the end of his term of service, and on October 6, 1864, he again enlisted, this time in Company G, Eighth Iowa Cavalry, and served until August 13, 1865.

Upon enlistment he was dropped from the rolls. After the war he applied for reinstatement, and was restored to the rolls at \$2 per month, December 27, 1877, to date from December 4, 1864, deducting time from May 6, 1864, to September 24, 1864, and from October 6, 1864, to August 13, 1865.

On February 10, 1877, the soldier was examined by Dr. H. Restine at Marion, Iowa, on his application for restoration, who reported as follows:

In my opinion the said Abraham J. Reber is one-half (\$4 per month) incapacitated for obtaining his subsistence by manual labor from the cause above stated, viz, gunshot wound in left leg, and, further, that the disability is probably permanent.

It will be remembered that the soldier was restored at \$2 per month, and not \$4, as this examination showed him entitled. Application being made for an increase, upon the ground of the gunshot wound and injury to hip, he was examined August 25, 1879, by Dr. Davis, in Sioux City, Iowa, who, among other things, reported:

The fibula must have been broken by the ball, and there is a loss of substance of the bone; the calf of the leg looks smaller than the other; walks lame, and says it has always troubled him more or less ever since he was shot. I rate his disability one-half of total (\$4 per month).

Referring to the injury to hip the physician said:

He no doubt is suffering from *scialica*. The pain in his hip is always worse before a storm; thigh and leg often feel numb. I rate this disability at one-fourth of total (\$2 per month). I find his disabilities to be equal to and entitling him to three-fourths of total, or \$6 per month.

Another examination was made by the same physician August 2, 1882, who, among other things, reported—

The fibula was broken, and there is a loss of substance of that bone. There is atrophy of the muscles of the calf. He walks lame, and says that his left hip has ever since he was wounded pained him; that it is always worse before a storm; the whole leg often feels numb. The disability is permanent; his habits are good. I find his disability as described above to be equal to, and entitling him to, three-fourths total, \$6 per month.

The pensioner in affidavit swears that he enlisted in the late war as a volunteer, and as no man's substitute, though he might have had large money for so doing.

It will be seen that this soldier was quite severely wounded, and that at all the five different examinations had he was but once rated at less than \$4 per month on account of the gunshot wound. The pensioner asks for a rating at \$8 per month and arrears.

Your committee, after considering the evidence in this case, believe that an injustice was done this pensioner when his pension was before the late war reduced to \$2 per month; that he never should have been reduced below \$4, and when restored after the late war he should have been rated at not less than \$4 per month, the sum fixed by the physician who examined him upon his application for an increase. Believing that a manifest wrong was done this soldier, your committee report a substitute for bill H. R. 2025, and recommend its passage.

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